A Resolution Requesting Financial Assistance From the Texas Water Development Board

NO. 3210-05-2005

THE STATE OF TEXAS SCOUNTIES OF TARRANT AND DENTON SCITY OF FORT WORTH

WHEREAS, the City of Fort Worth, Texas (the "City") deems it necessary to apply to the Texas Water Development Board for financial assistance in an amount not to exceed \$64,520,000 for acquisition, improvements and extensions to the City's Water and Sewer System, to-wit, improvements and extensions to the water system; and

WHEREAS, in accordance with the rules and regulations of the Texas Water Development Board, which governs the procedures of making such application, the governing body of the City is required to adopt a resolution to accompany such application; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

- 1. That the Texas Water Development Board is hereby requested to grant financial assistance in an amount not to exceed \$64,520,000 to the City for the acquisition, improvement and extension of the City's Water and Sewer System, to-wit, improvements and extensions to the water system, all as further described in the application for financial assistance.
- 2. That the City Manager of the City is hereby authorized to execute and submit to the Texas Water Development Board the application for such financial assistance; and the City Manager, together with Bond Counsel, Financial Advisor, and Consulting Engineers named in such application, are hereby authorized to appear before the Texas Water Development Board in support of such application and project.
- 3. That the City Manager is further specifically authorized to make the required assurances to the Texas Water Development Board in accordance with the rules, regulations, and policies of the Texas Water Development Board.



- 4. That it is hereby found and determined that the City cannot reasonably finance the proposed project without financial assistance in the amount requested, and that the nature of the improvements proposed to be financed constitute an emergency, and immediate consideration of this application is requested.
- 5. That a certified copy of this Resolution shall be attached to the application for financial assistance herein authorized to be prepared and submitted to the Texas Water Development Board.

AFFIDAVIT OF COMPLIANCE

THE STATE OF TEXAS

COUNTIES OF TARRANT AND DENTONS
CITY OF FORT WORTH

BEFORE ME, the undersigned Notary Public in and for the State of Texas, on this day personally appeared Charles R. Boswell, City Manager, of the City of Fort Worth, Texas (the "City"), who being by me duly sworn, upon oath says that (i) to the best of his knowledge and belief, the facts and information contained in the Application to the Texas Water Development Board for financial assistance are true and correct, (ii) the City will comply with all representations in the Application to the Texas Water Development Board for financial assistance, all laws of the State of Texas, and all rules and published policies of the Texas Water Development Board, and (iii) to the best of his knowledge, there is no litigation or other proceeding pending or threatened against the City before any court, agency, or administrative body wherein an adverse decision would materially adversely affect the financial condition of the City or the ability of the City to issue debt.

Charles R. Boswell, City Manager

Adopted 3181 this day of 9000 2005.

ATTEST:

By: V \u

City Secretary

APPROVED CITY COUNCIL

MAY 3 1 2005

Gity Secretary of the

CITY OF FORT WORTH